

FOR THE RELIEF OF CERTAIN CLERKS IN THE POST  
OFFICE AT DETROIT, MICH.

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MAY 27 (legislative day, MAY 26), 1942.—Ordered to be printed

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Mr. BREWSTER, from the Committee on Claims, submitted the following

## REPORT

[To accompany H. R. 5619]

The Committee on Claims, to whom was referred the bill (H. R. 5619) for the relief of certain clerks in the post office at Detroit, Mich., having considered the same, report favorably thereon with the recommendation that the bill do pass with the following amendment:

Page 2, at the end of the bill add a new section, as follows:

SEC. 2. That for the purposes of the provisions of law governing the compensation payable to clerks in the Postal Service, the appointment of James E. Kane, formerly a clerk in the Burbank, California, post office, shall be held and considered to have been effective as of May 15, 1941.

House Report No. 1726, Seventy-seventh Congress, second session, and two communications relating to the claim of James E. Kane, are appended hereto and made a part of this report.

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[H. Rept. No. 1726, 77th Cong., 2d. sess.]

The Committee on Claims, to whom was referred the bill (H. R. 5619) for the relief of certain clerks in the post office at Detroit, Mich., having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

The purpose of the proposed legislation is to refund to certain clerks in the Post Office at Detroit, Mich., compensation received by them as regular clerks, which they refunded when it was held by the Post Office Department that their appointment from substitute clerks to regular clerks, effective February 1, 1941, was not effective until March 1, 1941.

## STATEMENT OF FACTS

By a letter dated January 23, 1941, the Post Office Department authorized the postmaster at Detroit, Mich., to appoint 20 clerks effective February 1, 1941, and advised the postmaster that, under the law, promotions could not be made until "you receive approved copy of Form 1533. If an interval occurs between the effective date on this formal authorization and the date on approved Form 1533, the additional position should be carried as a vacancy during such interim." This form was received in the Department on February 20, 1941, and, following the usual practice, it was made effective at the beginning of the next pay period, which was March 1, 1941. However, the postmaster at Detroit, Mich., did not

advise the employees of this regulation of the Department, and appointed employees as of February 1, 1941, and assigned them to duty, and, later, made them refund the difference in pay between senior substitute clerks and regular clerks.

The Post Office Department recommends against the enactment of the legislation, but, however, your committee cannot concur. The committee feel that the post office at Detroit, Mich., received the services of the employees through no fault of their own, as of February 1, 1941, and that therefore they should be compensated.

Appended hereto is the report of the Post Office Department, together with other pertinent evidence.

POST OFFICE DEPARTMENT,  
Washington, D. C., November 25, 1941.

HON. DAN R. McGEHEE,  
Chairman, Committee on Claims,  
House of Representatives.

MY DEAR MR. McGEHEE: Your letter of November 7, 1941, requested a report upon H. R. 5619, a bill for the relief of certain clerks in the post office at Detroit, Mich.

By letter dated January 23, 1941, this Department authorized the postmaster at Detroit to appoint 20 clerks effective February 1, 1941. However, the postmaster was expressly advised in that letter as follows:

"Under the law promotions cannot be made retroactive and no salary payments should be made until you receive an approved copy of Form 1533. If an interval occurs between the effective date on this formal authorization and the date on approved Form 1533, the additional position should be carried as a vacancy during such interim."

It was not until February 18, 1941, that the postmaster submitted his formal recommendation for the advancement of the senior substitute clerks to the additional clerical places authorized by the Department. This form was received in the Department on February 20, 1941, and following the usual practice it was made effective at the beginning of the next pay period which was March 1, 1941.

This bill would merely change the status of the 20 employees named therein from substitute clerks to regular clerks 1 month earlier.

The bill is regarded as lacking merit and its approval is therefore not recommended.

Very truly yours,

FRANK C. WALKER,  
Postmaster General.

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, D. C., September 26, 1941.

HON. DAN R. McGEHEE,  
Chairman, Claims Committee, House of Representatives,  
Washington, D. C.

DEAR MR. McGEHEE: I am making this statement in behalf of H. R. 5619, which I introduced and which is referred to your committee.

In January 1941 the Post Office Department authorized 20 additional regular clerks for the Detroit post office, to be effective February 1, 1941.

Twenty such clerks were appointed and they are the persons who are named in the bill, H. R. 5619.

These 20 clerks had been substitutes and commenced working as regulars on February 1, 1941, and were on the pay roll as regular clerks and were paid as regular clerks for that month.

Shortly thereafter it was found that through some routine error the names of these 20 clerks who were promoted from substitute clerks to regular clerks were not given to the Post Office Department or the Civil Service Commission early enough in accordance with their regulations. The exact facts in that regard seem to be disputed. After they had completed their service during February as regular clerks and were on the pay roll and had been paid, the Department ordered them to refund their salary in excess of the salary that they would have received as substitute clerks. This has been done. Of course, the men did get paid as regular clerks from March 1, 1941, and thereafter. The object of this bill is to make their employment as regular clerks effective during the month of February 1941.

My main contentions in behalf of this bill are:

1. That it is conceded that the Post Office Department did authorize the 20 additional regular clerks for the Detroit Post Office to begin February 1, 1941.
2. That the men named in this bill did perform the work as regular clerks during February 1941.
3. That if a technical error was committed, these men had nothing to do with any such error and they should not be penalized by the loss of pay after they had performed the duties.
4. That this bill is aimed at merely correcting a technical situation and would only result in providing for these men the compensation which they had already earned.

Yours very truly,

GEORGE D. O'BRIEN.

STATE OF MICHIGAN,  
County of Wayne, ss:

Lewis C. Butler, being duly sworn, deposes and says that on or about the 11th day of March, A. D. 1941, he was notified by the postmaster at Detroit, Wayne County, Mich., that his appointment date as a regular clerk in the United States post office at Detroit, Wayne County, Mich., had been changed by the Post Office Department from February 1, 1941, to March 1, 1941, and as a result thereof it would be necessary for him to refund to the Postmaster at Detroit, Wayne County, Mich., the sum of \$62.18, which refund was made by him at the time he drew his pay check for the semimonthly pay period ended March 15, 1941.

He further deposes and says that the sum refunded represents the difference between the compensation which he would have received as a regular post-office clerk under the act, approved February 28, 1925 (Public, No. 506, 68th Cong.), and the sum he did receive as a substitute post-office clerk for the same number of hours, at the rate of 65 cents an hour, plus a 10 percent differential for such services as he had performed between the hours of 6 p. m. and 6 a. m., during the period above-mentioned.

Further deponent sayeth not.

LEWIS C. BUTLER.

Subscribed and sworn to before me according to law by the above-named claimant, this 3rd day of November, A. D. 1941, at the city of Detroit, Wayne County, Mich.

FRANCIS J. KELLY, Notary Public.

My commission expires December 8, 1944.

STATE OF MICHIGAN,  
County of Wayne, ss:

Clayton A. Campbell, being duly sworn, deposes and says that on or about the 11th day of March A. D. 1941, he was notified by the postmaster at Detroit, Wayne County, Mich., that his appointment date as a regular clerk in the United States post office at Detroit, Wayne County, Mich., had been changed by the Post Office Department from February 1, 1941, to March 1, 1941, and as a result thereof it would be necessary for him to refund to the postmaster at Detroit, Wayne County, Mich., the sum of \$53.18, which refund was made by him at the time he drew his pay check for the semimonthly pay period ended March 15, 1941.

He further deposes and says that the sum refunded represents the difference between the compensation which he would have received as a regular post-office clerk under the act approved February 28, 1925 (Public, No. 506, 68th Cong.), and the sum he did receive as a substitute post-office clerk for the same number of hours, at the rate of 65 cents an hour, plus a 10 percent differential for such services as he had performed between the hours of 6 p. m. and 6 a. m., during the period above mentioned.

Further deponent sayeth not.

CLAYTON A. CAMPBELL.

Subscribed and sworn to before me according to law by the above-named claimant, this 3d day of November A. D. 1941, at the city of Detroit, Wayne County, Mich.

FRANCIS J. KELLY, Notary Public.

My commission expires December 8, 1944.

STATE OF MICHIGAN,  
County of Wayne, ss:

John Marvin Campbell, being duly sworn, deposes and says that on or about the 11th day of March A. D. 1941, he was notified by the postmaster at Detroit, Wayne County, Mich., that his appointment date as a regular clerk in the United States post office at Detroit, Wayne County, Mich., had been changed by the Post Office Department from February 1, 1941, to March 1, 1941, and as a result thereof it would be necessary for him to refund to the postmaster at Detroit, Wayne County, Mich., the sum of \$52.29, which refund was made by him at the time he drew his pay check for the semimonthly pay period ended March 15, 1941.

He further deposes and says that the sum refunded represents the difference between the compensation which he would have received as a regular post-office clerk under the act approved February 28, 1925 (Public, No. 506, 68th Cong.), and the sum he did receive as a substitute post-office clerk for the same number of hours, at the rate of 65 cents an hour, plus a 10-percent differential for such services as he had performed between the hours of 6 p. m., and 6 a. m., during the period above mentioned.

Further deponent sayeth not.

JOHN MARVIN CAMPBELL.

Subscribed and sworn to before me according to law by the above-named claimant, this 3d day of November A. D. 1941, at the city of Detroit, Wayne County, Mich.

FRANCIS J. KELLY, *Notary Public.*

My commission expires December 8, 1944.

STATE OF MICHIGAN,  
County of Wayne, ss:

James F. Colebank, being duly sworn, deposes and says that on or about the 11th day of March A. D. 1941, he was notified by the postmaster at Detroit, Wayne County, Mich., that his appointment date as a regular clerk in the United States post office at Detroit, Wayne County, Mich., had been changed by the Post Office Department from February 1, 1941, to March 1, 1941, and as a result thereof it would be necessary for him to refund to the postmaster, at Detroit, Wayne County, Mich., the sum of \$61.86, which refund was made by him at the time he drew his pay check for the semimonthly pay period ended March 15, 1941.

He further deposes and says that the sum refunded represents the difference between the compensation which he would have received as a regular post-office clerk under the act, approved February 28, 1925 (Public, No. 506, 68th Cong.), and the sum he did receive as a substitute post-office clerk for the same number of hours, at the rate of 65 cents an hour, plus a 10 percent differential for such services as he had performed between the hours of 6 p. m. and 6 a. m., during the period above mentioned.

Further deponent sayeth not.

JAMES F. COLEBANK.

Subscribed and sworn to before me according to law by the above named claimant, this 3d day of November, A. D. 1941, at the city of Detroit, Wayne County, Mich.

FRANCIS J. KELLY, *Notary Public.*

My commission expires December 8, 1944.

STATE OF MICHIGAN,  
County of Wayne, ss:

Thomas S. Dowd, being duly sworn, deposes and says that on or about the 11th day of March A. D. 1941, he was notified by the postmaster at Detroit, Wayne County, Mich., that his appointment date as a regular clerk in the United States post office, at Detroit, Wayne County, Mich., had been changed by the Post Office Department from February 1 to March 1, 1941, and as a result thereof it would be necessary for him to refund to the postmaster, at Detroit, Wayne County, Mich., the sum of \$61.97, which refund was made by him at the time he drew his pay check for the semimonthly pay period ended March 15, 1941.

He further deposes and says that the sum refunded represents the difference between the compensation which he would have received as a regular post-office clerk under the act approved February 28, 1925 (Public, No. 506, 68th Cong.),



and the sum he did receive as a substitute post-office clerk for the same number of hours, at the rate of 65 cents an hour, plus a 10 percent differential for such services as he had performed between the hours of 6 p. m. and 6 a. m., during the period above mentioned.

Further despondent sayeth not.

THOMAS S. DOWD.

Subscribed and sworn to before me according to law by the above-named claimant, this 3d day of November A. D. 1941, at the city of Detroit, Wayne County, Mich.

FRANCIS J. KELLY, *Notary Public*.

My commission expires December 8, 1944.

STATE OF MICHIGAN,  
County of Wayne, ss:

Vincent Grabowski, being duly sworn, deposes and says that on or about the 11th day of March, A. D. 1941, he was notified by the postmaster at Detroit, Wayne County, Mich., that his appointment date as a regular clerk in the United States post office at Detroit, Wayne County, Mich., had been changed by the Post Office Department from February 1, 1941, to March 1, 1941, and as a result thereof it would be necessary for him to refund to the postmaster, at Detroit, Wayne County, Mich., the sum of \$62.05, which refund was made by him at the time he drew his pay check for the semimonthly pay period ended March 15, 1941.

He further deposes and says that the sum refunded represents the difference between the compensation which he would have received as a regular post-office clerk under the act approved February 28, 1925 (Public, No. 506, 68th Cong.), and the sum he did receive as a substitute post-office clerk for the same number of hours, at the rate of 65 cents an hour, plus a 10-percent differential for such services as he had performed between the hours of 6 p. m. and 6 a. m. during the period above mentioned.

Further deponent sayeth not.

VINCENT GRABOWSKI.

Subscribed and sworn to before me according to law by the above-named claimant this 3d day of November A. D. 1941, at the city of Detroit, Wayne County, Mich.

FRANCIS J. KELLY, *Notary Public*.

My commission expires December 8, 1944.

STATE OF MICHIGAN,  
County of Wayne, ss:

Thaddeus S. Hammers, being duly sworn, deposes and says that on or about the 11th day of March A. D. 1941, he was notified by the postmaster at Detroit, Wayne County, Mich., that his appointment date as a regular clerk in the United States post office at Detroit, Wayne County, Mich., had been changed by the Post Office Department from February 1, 1941, to March 1, 1941, and as a result thereof it would be necessary for him to refund to the postmaster at Detroit, Wayne County, Mich., the sum of \$61.59, which refund was made by him at the time he drew his pay check for the semimonthly pay period ended March 15, 1941.

He further deposes and says that the sum refunded represents the difference between the compensation which he would have received as a regular post-office clerk under the act approved February 28, 1925 (Public, No. 506, 68th Cong.), and the sum he did receive as a substitute post-office clerk for the same number of hours, at the rate of 65 cents an hour, plus a 10 percent differential for such services as he had performed between the hours of 6 p. m. and 6 a. m., during the period above mentioned.

Further deponent sayeth not.

THADDEUS S. HAMMERS.

Subscribed and sworn to before me according to law by the above-named claimant, this 23d day of October, 1941, at the city of Detroit, Wayne County, Mich.

HENRY S. ZAREMBA, *Notary Public*.

[SEAL]

My commission expires September 21, 1945.

STATE OF MICHIGAN,

*County of Wayne, ss:*

Sigmond Janiszewski, being duly sworn, deposes and says that on or about the 11th day of March A. D. 1941, he was notified by the postmaster, at Detroit, Wayne County, Mich., that his appointment date as a regular clerk in the United States Post Office at Detroit, Wayne County, Mich., had been changed by the Post Office Department, from February 1, 1941, to March 1, 1941, and as a result thereof it would be necessary for him to refund to the Postmaster, at Detroit, Wayne County, Mich., the sum of \$61.72, which refund was made by him at the time he drew his pay check for the semimonthly pay period ended March 15, 1941.

He further deposes and says that the sum refunded represents the difference between the compensation which he would have received as a regular post-office clerk under the act approved February 28, 1925 (Public No. 506, 68th Cong.), and the sum he did receive as a substitute post-office clerk for the same number of hours, at the rate of 65 cents an hour, plus a 10 percent differential for such services as he had performed between the hours of 6 p. m. and 6 a. m., during the period above mentioned.

Further deponent sayeth not.

SIGMOND JANISZEWSKI.

Subscribed and sworn to before me according to law by the above-named claimant, this 3d day of November A. D. 1941, at the city of Detroit, Wayne County, Mich.

FRANCIS J. KELLY,  
*Notary Public.*

My commission expires December 8, 1944.

STATE OF MICHIGAN,

*County of Wayne, ss:*

Russell Krobuthiak, being duly sworn, deposes and says that on or about the 11th day of March, A. D. 1941, he was notified by the postmaster at Detroit, Wayne County, Mich., that his appointment date as a regular clerk in the United States post office at Detroit, Wayne County, Mich., had been changed by the Post Office Department, from February 1, 1941, to March 1, 1941, and as a result thereof it would be necessary for him to refund to the postmaster at Detroit, Wayne County, Mich., the sum of \$61.70, which refund was made by him at the time he drew his pay check for the semimonthly pay period ended March 15, 1941.

He further deposes and says that the sum refunded represents the difference between the compensation which he would have received as a regular post-office clerk under the act approved February 28, 1925 (Public, No. 506, 68th Cong.), and the sum he did receive as a substitute post-office clerk for the same number of hours, at the rate of 65 cents an hour plus a 10 percent differential for such services as he had performed between the hours of 6 p. m. and 6 a. m., during the period above-mentioned.

Further deponent sayeth not.

RUSSELL KORBUTHIAK.

Subscribed and sworn to before me according to law by the above-named claimant, this 3d day of November A. D. 1941, at the city of Detroit, Wayne County, Mich.

FRANCIS J. KELLY, *Notary Public.*

My commission expires December 8, 1944.

STATE OF MICHIGAN,

*County of Wayne, ss:*

Royal Charles LeDuff, being duly sworn, deposes and says that on or about the 11th day of March, A. D. 1941, he was notified by the postmaster at Detroit, Wayne County, Mich., that his appointment as a regular clerk in the United States post office at Detroit, Wayne County, Mich., had been changed by the Post Office Department from February 1, 1941, to March 1, 1941, and as a result thereof it would be necessary for him to refund to the postmaster at Detroit, Wayne County, Mich., the sum of \$61.83, which refund was made by him at the time he drew his pay check for the semimonthly pay period ended March 15, 1941.

He further deposes and says that the sum refunded represents the difference between the compensation which he would have received as a regular post-office clerk under the act approved February 28, 1925 (Public, No. 506, 68th Cong.), and the sum he did receive as a substitute post-office clerk for the same number of hours, at the rate of 65 cents an hour, plus a 10 percent differential for such services as he had performed between the hours of 6 p. m. and 6 a. m., during the period above mentioned.

Further deponent sayeth not.

ROYAL CHARLES LEDUFF.

Subscribed and sworn to before me according to law by the above-named claimant, this 3d day of November A. D. 1941, at the city of Detroit, Wayne County, Mich.

FRANCIS J. KELLY, *Notary Public*.

My commission expires December 8, 1944.

STATE OF MICHIGAN,  
*County of Wayne, ss:*

Moses Matlen, being duly sworn, deposes and says that on or about the 11th day of March, A. D. 1941, he was notified by the postmaster at Detroit, Wayne County, Mich., that his appointment date as a regular clerk in the United States post office, at Detroit, Wayne County, Mich., had been changed by the Post Office Department from February 1, 1941, to March 1, 1941, and as a result thereof it would be necessary for him to refund to the postmaster at Detroit, Wayne County, Mich., the sum of \$53.30, which refund was made by him at the time he drew his pay check for the semimonthly pay period ended March 15, 1941.

He further deposes and says that the sum refunded represents the difference between the compensation which he would have received as a regular post-office clerk under the act approved February 28, 1925 (Public, No. 506, 68th Cong.), and the sum he did receive as a substitute post-office clerk for the same number of hours, at the rate of 65 cents an hour, plus 10 percent for such services as he had performed between the hours of 6 p. m. and 6 a. m., during the period above-mentioned.

Further deponent sayeth not.

MOSES MATLEN.

Subscribed and sworn to before me according to law by the above-named claimant, this 3d day of November, A. D. 1941, at the city of Detroit, Wayne County, Mich.

FRANCIS J. KELLY, *Notary Public*.

My commission expires December 8, 1944.

STATE OF MICHIGAN,  
*County of Wayne, ss:*

Martin L. Metzger, being duly sworn, deposes and says that on or about the 11th day of March, A. D. 1941, he was notified by the postmaster at Detroit, Wayne County, Mich., that his appointment date as a regular clerk in the United States post office, at Detroit, Wayne County, Mich., had been changed by the Post Office Department from February 1, 1941, to March 1, 1941, and as a result thereof it would be necessary for him to refund to the Postmaster at Detroit, Wayne County, Mich., the sum of \$61.96, which refund was made by him at the time he drew his pay check for the semimonthly pay period ended March 15, 1941.

He further deposes and says that the sum refunded represents the difference between the compensation which he would have received as a regular post-office clerk under the act approved February 28, 1925 (Public, No. 506, 68th Cong.), and the sum he did receive as a substitute post-office clerk for the same number of hours, at the rate of 65 cents an hour, plus a 10-percent differential for such services as he had performed between the hours of 6 p. m., and 6 a. m., during the period above-mentioned.

Further deponent sayeth not.

MARTIN L. METZER.

Subscribed and sworn to before me according to law by the above-named claimant, this 3d day of November, A. D. 1941, at the city of Detroit, Wayne County, Mich.

FRANCIS J. KELLY,  
Notary Public.

My commission expires December 8, 1944.

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STATE OF MICHIGAN,  
County of Wayne, ss:

John A. McMillan, being duly sworn, deposes and says that on or about the 11th day of March A. D. 1941, he was notified by the postmaster at Detroit, Wayne County, Mich., that his appointment date as a regular clerk in the United States post office at Detroit, Wayne County, Mich., had been changed by the Post Office Department from February 1, 1941, to March 1, 1941, and as a result thereof it would be necessary for him to refund to the postmaster at Detroit, Wayne County, Mich., the sum of \$61.64, which refund was made by him at the time he drew his pay check for the semimonthly pay period ended March 15, 1941.

He further deposes and says that the sum refunded represents the difference between the compensation which he would have received as a regular post-office clerk under the act approved February 28, 1925 (Public, No. 506, 68th Cong.), and the sum he did receive as a substitute post-office clerk for the same number of hours, at the rate of 65 cents an hour, plus a 10 percent differential for such services as he had performed between the hours of 6 p. m. and 6 a. m., during the period above-mentioned.

Further deponent sayeth not.

JOHN A. McMILLAN.

Subscribed and sworn to before me according to law by the above-named claimant, this 3d day of November, A. D. 1941, at the city of Detroit, Wayne County, Mich.

FRANCIS J. KELLY, Notary Public.

My commission expires December 8, 1944.

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STATE OF MICHIGAN,  
County of Wayne, ss:

Thomas A. Owen, being duly sworn, deposes and says that on or about the 11th day of March, A. D. 1941, he was notified by the postmaster at Detroit, Wayne County, Mich., that his appointment date as a regular clerk in the United States post office, at Detroit, Wayne County, Mich., had been changed by the Post Office Department, from February 1, 1941, to March 1, 1941, and as a result thereof it would be necessary for him to refund to the postmaster at Detroit, Wayne County, Mich., the sum of \$61.96, which refund was made by him at the time he drew his pay check for the semimonthly pay period ended March 15, 1941.

He further deposes and says that the sum refunded represents the difference between the compensation which he would have received as a regular post office clerk under the act approved February 28, 1925 (Public, No. 506, 68th Cong.), and the sum he did receive as a substitute post office clerk for the same number of hours, at the rate of 65 cents an hour, plus a 10 percent differential for such services as he had performed between the hours of 6 p. m. and 6 a. m., during the period above-mentioned.

Further deponent sayeth not.

THOMAS A. OWEN.

Subscribed and sworn to before me according to law by the above-named claimant, this 3d day of November, A. D. 1941, at the city of Detroit, Wayne County, Mich.

FRANCIS J. KELLY, Notary Public.

My commission expires December 8, 1944.

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STATE OF MICHIGAN,  
County of Wayne, ss:

Samuel J. Peck, being duly sworn, deposes and says that on or about the 11th day of March, A. D. 1941, he was notified by the postmaster at Detroit, Wayne County, Mich., that his appointment date as a regular clerk in the United States



post office at Detroit, Wayne County, Mich., had been changed by the Post Office Department from February 1, 1941, to March 1, 1941, and as a result thereof it would be necessary for him to refund to the postmaster at Detroit, Wayne County, Mich., the sum of \$61.70, which refund was made by him at the time he drew his pay check for the semimonthly pay period ended March 15, 1941.

He further deposes and says that the sum refunded represents the difference between the compensation which he would have received as a regular post-office clerk under the act approved February 28, 1925 (Public, No. 506, 68th Cong.), and the sum he did receive as a substitute post-office clerk for the same number of hours, at the rate of 65 cents an hour, plus a 10 percent differential for such services as he had performed between the hours of 6 p. m. and 6 a. m., during the period above-mentioned.

Further deponent sayeth not.

SAMUEL J. PECK.

Subscribed and sworn to before me according to law by the above-named claimant, this 3d day of November, A. D. 1941, at the city of Detroit, Wayne County, Mich.

FRANCIS J. KELLY, *Notary Public.*

My commission expires December 8, 1944.

STATE OF MICHIGAN,  
*County of Wayne, ss:*

Emmett A. Reynolds, being duly sworn, deposes and says that on or about the 11th day of March A. D. 1941, he was notified by the postmaster at Detroit, Wayne County, Mich., that his appointment date as a regular clerk in the United States post office at Detroit, Wayne County, Mich., had been changed by the Post Office Department from February 1, 1941, to March 1, 1941, and as a result thereof it would be necessary for him to refund to the postmaster at Detroit, Wayne County, Mich., the sum of \$53.03, which refund was made by him at the time he drew his pay check for the semimonthly pay period ended March 15, 1941.

He further deposes and says that the sum refunded represents the difference between the compensation which he would have received as a regular post-office clerk under the act approved February 28, 1925 (Public, No. 506, 68th Cong.), and the sum he did receive as a substitute post-office clerk for the same number of hours, at the rate of 65 cents an hour, plus a 10 percent differential for such services as he had performed between the hours of 6 p. m. and 6 a. m., during the period above-mentioned.

Further deponent sayeth not.

EMMETT A. REYNOLDS.

Subscribed and sworn to before me according to law by the above-named claimant, this 3d day of November A. D. 1941, at the city of Detroit, Wayne County, Mich.

FRANCIS J. KELLY,  
*Notary Public.*

My commission expires December 8, 1944.

STATE OF MICHIGAN,  
*County of Wayne, ss:*

Frank Shuttleworth, being duly sworn, deposes and says that on or about the 11th day of March A. D. 1941, he was notified by the postmaster at Detroit, Wayne County, Mich., that his appointment date as a regular clerk in the United States Post Office, at Detroit, Wayne County, Mich., had been changed by the Post Office Department from February 1, 1941, to March 1, 1941, and as a result thereof it would be necessary for him to refund to the postmaster at Detroit, Wayne County, Mich., the sum of \$53.33, which refund was made by him at the time he drew his pay check for the semimonthly pay period ended March 15, 1941.

He further deposes and says that the sum refunded represents the difference between the compensation which he would have received as a regular post-office clerk under the act approved February 28, 1925 (Public, No. 506, 68th Cong.), and the sum he did receive as a substitute post-office clerk for the same number

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of hours, at the rate of 65 cents an hour, plus a 10-percent differential for such services as he had performed between the hours of 6 p. m., and 6 a. m., during the period above mentioned.

Further deponent sayeth not.

FRANK SHUTTLEWORTH.

Subscribed and sworn to before me according to law by the above-named claimant, this 3d day of November, A. D. 1941, at the city of Detroit, Wayne County, Mich.

FRANCIS J. KELLY, *Notary Public*.

My commission expires December 8, 1944.

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STATE OF MICHIGAN,  
County of Wayne, ss:

Herman S. Simms, being duly sworn, deposes and says that on or about the 11th day of March, A. D. 1941, he was notified by the postmaster at Detroit, Wayne County, Mich., that his appointment date as a regular clerk in the United States post office at Detroit, Wayne County, Mich., had been changed by the Post Office Department from February 1, 1941, to March 1, 1941, and as a result thereof it would be necessary for him to refund to the postmaster at Detroit, Wayne County, Mich., the sum of \$61.70, which refund was made by him at the time he drew his pay check for the semimonthly pay period ended March 15, 1941.

He further deposes and says that the sum refunded represents the difference between the compensation which he would have received as a regular post-office clerk under the act approved February 28, 1925 (Public, No. 506, 68th Cong.), and the sum he did receive as a substitute post-office clerk for the same number of hours, at the rate of 65 cents an hour, plus a 10-percent differential for such services as he had performed between the hours of 6 p. m. and 6 a. m., during the period above mentioned.

Further deponent sayeth not.

HERMAN S. SIMMS.

Subscribed and sworn to before me according to law by the above-named claimant, this 3d day of November A. D. 1941, at the city of Detroit, Wayne County, Mich.

FRANCIS J. KELLY, *Notary Public*.

My commission expires December 8, 1944.

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STATE OF MICHIGAN,  
County of Wayne, ss:

Frank J. Walters, being duly sworn, deposes and says that on or about the 11th day of March, A. D. 1941, he was notified by the postmaster at Detroit, Wayne County, Mich., that his appointment date as a regular clerk, in the United States post office at Detroit, Wayne County, Mich., had been changed by the Post Office Department from February 1, 1941, to March 1, 1941, and as a result thereof it would be necessary for him to refund to the postmaster at Detroit, Wayne County, Mich., the sum of \$61.98, which refund was made by him at the time he drew his pay check for the semimonthly pay period ended March 15, 1941.

He further deposes and says that the sum refunded represents the difference between the compensation which he would have received as a regular post-office clerk under the act, approved February 28, 1925 (Public, No. 506, 68th Cong.), and the sum he did receive as a substitute post-office clerk for the same number of hours, at the rate of 65 cents an hour, plus a 10 percent differential for such services as he had performed between the hours of 6 p. m., and 6 a. m., during the period above-mentioned.

Further deponent sayeth not.

FRANK J. WALTERS.

Subscribed and sworn to before me according to law by the above named claimant, this 3d day of November, A. D. 1941, at the city of Detroit, Wayne County, Mich.

FRANCIS J. KELLY, *Notary Public*.

My commission expires December 8, 1944.

STATE OF MICHIGAN,  
County of Wayne, ss:

Hermett H. Wortham, being duly sworn, deposes and says that on or about the 11th day of March, A. D. 1941, he was notified by the postmaster at Detroit, Wayne County, Mich., that his appointment date as a regular clerk in the United States post office at Detroit, Wayne County, Mich., had been changed by the Post Office Department from February 1, 1941, to March 1, 1941, and as a result thereof it would be necessary for him to refund to the postmaster at Detroit, Wayne County, Mich., the sum of \$62.25, which refund was made by him at the time he drew his pay check for the semimonthly pay period ended March 15, 1941.

He further deposes and says that the sum refunded represents the difference between the compensation which he would have received as a regular post-office clerk under the act approved February 28, 1925 (Public, No. 506, 68th Cong.), and the sum he did receive as a substitute post-office clerk for the same number of hours, at the rate of 65 cents an hour, plus a 10-percent differential for such services as he had performed between the hours of 6 p. m., and 6 a. m., during the period above-mentioned.

Further deponent sayeth not.

HERMETT H. WORTHAM.

Subscribed and sworn to before me according to law by the above-named claimant, this 3d day of November A. D. 1941, at the city of Detroit, Wayne County, Mich.

FRANCIS J. KELLY, *Notary Public*.

My commission expires December 8, 1944.

UNITED STATES SENATE,  
COMMITTEE ON APPROPRIATIONS,  
May 9, 1942.

MEMORANDUM FOR SENATOR BREWSTER

I am attaching a copy of a letter addressed to me on April 20 by Mr. James E. Kane, who is now employed as a regular clerk at the post office at Ajo, Ariz., having transferred to that post office from a similar position at the post office at Burbank, Calif.

You will observe thereby that Mr. Kane was advised by the postmaster at Burbank on May 15, 1941, that his appointment as a regular clerk had been approved by the Post Office Department as of May 15. However, after a period of 3 weeks had passed he was advised that his appointment was not to take effect until June 15. Therefore, he was requested to refund a part of the salary he had received since May 15, which amounted to \$35.

Mr. Kane is anxious to have his case considered along with those of 20 clerks employed at the Detroit, Mich., post office, who were required to make salary refunds in 1941 and for whose relief a bill, H. R. 5619, was passed by the House of Representatives on March 17. It is my understanding that this bill, together with S. 2108, introduced by Senator Brown of Michigan on December 9, 1941, is under consideration by a subcommittee of which you are chairman and that it is probable that it will be reported to the full committee within the near future.

I shall deeply appreciate your giving consideration to the statements made by Mr. Kane with a view to determining whether there is any possibility that your subcommittee might propose an amendment to H. R. 5619 that would provide relief for my constituent similar to that proposed to be given certain clerks in the post office at Detroit, Mich.

Yours very sincerely,

CARL HAYDEN.

12 FOR THE RELIEF OF CERTAIN DETROIT, MICH., POSTAL CLERKS

AJO, ARIZ., April 20, 1942.

HON. CARL HAYDEN,  
United States Senate, Washington, D. C.

DEAR SENATOR HAYDEN: On May 15, 1941, I was informed by the postmaster of Burbank, Calif., that Washington had approved of my appointment as regular clerk as of that date, and after a period of 3 weeks was told that the appointment was not to take effect until June 15, 1941, and that I would have to refund the difference between a regular clerk's pay and a substitute's, \$0.65 per hour. I had to refund \$35 on my next pay day.

I now am a clerk in the Ajo, Ariz., post office, and thought you could let me know how I could file a claim on H. R. 5619.

Respectfully,

JAMES E. KANE.